

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PANTELIS ANTONAKEAS,

Petitioner,

v.

JAMES SHERMAN, Warden,

Respondent.

Civil Action No. 05-305 Erie

**MEMORANDUM ORDER**

This habeas corpus action was received by the Clerk of Court on October 18, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 15], filed on November 7, 2006, recommended that Petitioner's Petition be denied and that Petitioner's Motion for Summary Judgment [Doc. No. 14] be denied as moot. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Respondent. Objections were filed by Petitioner on November 27, 2006 [Doc. No. 16]. After de novo review of the petition and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 28<sup>th</sup> day of November, 2006;

IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus is DENIED and Petitioner's Motion for Summary Judgment [Doc. No. 14] is DENIED as moot.

The Report and Recommendation [Doc. No. 15] of Magistrate Judge Baxter, filed on November 7, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record

Susan Paradise Baxter, U.S. Magistrate Judge